

13.24.017 – Indemnification

Other than for liabilities and losses due to or caused by the sole negligence of the City or its employees or agents, a wireless provider shall indemnify and hold the City harmless against any and all liability or loss from personal injury or property damage resulting from or arising out of, in whole or in part, the use or occupancy of the City infrastructure or improvements, or right-of-way associated with such infrastructure or improvements by the wireless provider or its employees, agents, or contractors arising out of the rights and privileges granted under this chapter and the Act. A wireless provider proceeding under this chapter waives any claims it may have against the City with respect to consequential, incidental, or special damages, however caused, based on the theory of liability.

(2018-M-28 : § 2)